

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

BENJAMIN MARQUISE DONALD, JR.,
#01925913

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:21cv480

ORDER OF DISMISSAL

This case was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation concluding Petitioner's case should be dismissed without prejudice for failure to prosecute. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections having been timely filed, the Court concludes the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

Accordingly, it is **ORDERED** the petition for writ of habeas corpus is **DISMISSED** without prejudice. It is further **ORDERED** all motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 6th day of December, 2021.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE